IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24967 of 2004

Between:

1. R. Krishnaiah, S/o. Narayana, shrf 56 yrstd,
C/o. R/o. 6-1-631, Ramgiri, Nalgonda District.
2. Y. Yadaiah, S/o. Eshwariah, aged 42 years,
C/o. R/o. 6-1-631, Ramgiri, Nalgonda District.
3. P. Chandra Mouli, s/o. Ramaswamy, aged 49 years,
C/o. R/o. 6-1-631, Ramgiri, Nalgonda District.
4. T. Narasimha , S/o. Ramulu, aged 46 years,
C/o. R/o. 6-1-631, Ramgiri, Nalgonda District.
5. V. Surya Prakash Rao, S/o. Lingaiah, aged 43 years,
C/o. R/o. 6-1-631, Ramgiri, Nalgonda District.

..... PETITIONERS

AND

1. The Regional Manager, APSRTC,

Nalgonda, Nalgonda District.
2. The Depot Manager, APSRTC,

Suryapet Bus Depot, Nalgonda District.
3. The Depot Manager, APSRTC,

Nalgonda Bus Depot, Nalgodna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents in not giving the special Grade/Stagnation Increment to the petitioners with effect from their completion of 12 Years of service in APSRTC, in total (All Regions) and counting the present regions

services of 12 Years for 12 years stagnation Increment/Special Grade as had arbitrary, illegal, unjust and contrary to the circulars and contrary to the Judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years stagnation Increment/Special Grade to the petitioners on their completion of 12 Years of service in the all the regions of the Corporation and pass such further other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Counsel for the Petitioners: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.V.T.M.PRASAD, SC for APSRTC

The Court at the stage of admission made the following:

ORDER:

Heard both sides and at their request the writ petition is taken up for disposal at the state of admission.

The grievance of the writ petitioners is that the respondents-Corporation is not giving the Special Grade/Stagnation increment to them with effect from their completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondents-Corporation, more particularly, in circular No.P.D-113/1989, dated 03.06.1989, for grant of stagnation increments. Therefore, it is for the respondents-Corporation to decide the matter whether the petitioners are entitled for the stagnation increments in pursuance of the aforesaid circular order. Therefore, a direction is given to the respondents-Corporation to give the Special Grade/Stagnation increment as per the rules taking into account the petitioners' total service of 12 years in the Corporation.

The writ petition is accordingly disposed of. In the circumstances, without costs.

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K.C.BHANU,J.

Date: 31st December 2004.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Regional Manager, APSRTC,

Nalgonda, Nalgonda District.

2. The Depot Manager, APSRTC,

Suryapet Bus Depot, Nalgonda District.

3. The Depot Manager, APSRTC,

Nalgonda Bus Depot, Nalgodna District.

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